

ter or the rules and regulations thereunder. Any criminal proceeding may be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by this chapter or rules and regulations thereunder, or to enjoin any violation of such chapter or rules and regulations, may be brought in any such district wherein the defendant is found or is a resident or transacts business. The remedies, fines, and forfeitures provided for in this chapter shall be in addition to, and not exclusive of, any of the remedies, fines, and forfeitures under existing law.

**(f) Delegation of authority**

Any power, authority, or discretion conferred on the President by this chapter may be exercised through such department, agency, or officer of the Government as the President may direct, and shall be exercised in conformity with such rules or regulations as he may prescribe.

**(g) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including the necessary expenses and contributions of the United States in connection with the administration of the International Wheat Agreement.

**(h) Use of funds**

Funds appropriated under authority of this chapter may be used for the purchase or hire of passenger motor vehicles, for printing and binding, for rent and personal services in the District of Columbia and elsewhere without regard to the limitation contained in section 607(g) of the Federal Employees Pay Act of 1945, as amended [5 U.S.C. 947(g)],<sup>1</sup> and for the employment of experts or consultants or organization thereof, on a temporary basis, by contract or otherwise, without regard to chapter 51 and subchapter III of chapter 53 of title 5, at rates not in excess of \$50 per diem.

**(i) Exclusion from Administrative Procedure Act**

The functions exercised under authority of this chapter shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of sections 3 and 10 thereof.

**(j) "Person" defined**

The term "person" as used in this section shall include the singular and the plural and any individual, partnership, corporation, association, or any other organized group of persons.

(Oct. 27, 1949, ch. 772, § 3, 63 Stat. 946; Oct. 28, 1949, ch. 782, title II, § 202(27), title XI, § 1106(a), 63 Stat. 956, 972.)

REFERENCES IN TEXT

Section 607(g) of the Federal Employees Pay Act of 1945, as amended, referred to in subsec. (h), was repealed by act Sept. 12, 1950, ch. 946, title III, § 301 (85), 64 Stat. 843.

The Administrative Procedure Act, referred to in subsec. (i), is act June 11, 1946, ch. 324, 60 Stat. 237, as amended, which was repealed and reenacted as subchapter II of chapter 5, and chapter 7, of Title 5, Gov-

ernment Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378, which enacted Title 5. Sections 3 and 10 thereof are covered by section 552 and chapter 7, respectively, of Title 5.

CODIFICATION

The words "and the District Court of the United States for the District of Columbia" in subsection (e) following "district courts of the United States" have been deleted as superfluous in view of section 132 (a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district", and section 88 of said Title 28 which states that "The District of Columbia constitutes one judicial district".

In subsec. (h), "chapter 51 and subchapter III of chapter 53 of title 5" was substituted for "the Classification Act of 1949" on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1949—Subsec. (h). Act Oct. 28, 1949, substituted "Classification Act of 1949" for "Classification Act [of 1923]".

REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

EXECUTIVE ORDER NO. 11108

Ex. Ord. No. 11108, May 22, 1963, 28 F.R. 5185, which delegated to Secretary of Agriculture authority of President under this chapter, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

FEDERAL RULES OF CIVIL PROCEDURE

One form of action, see rule 2, Title 28, Appendix, Judiciary and Judicial Procedure.

FEDERAL RULES OF CRIMINAL PROCEDURE

Proceedings to be in district and division in which offense committed, see rule 18, Title 18, Appendix, Crimes and Criminal Procedure.

CROSS REFERENCES

Fines, penalties and forfeitures, see section 2461 et seq. of Title 28, Judiciary and Judicial Procedure.

Jurisdiction of district courts of actions for recovery of fine, penalty or forfeiture, see section 1355 of Title 28.

United States as party generally, see section 2401 et seq. of Title 28.

United States as plaintiff, jurisdiction of district courts, see section 1345 of Title 28.

Words denoting number, gender, etc., see section 1 of Title 1, General Provisions.

**CHAPTER 40—HALOGETON GLOMERATUS CONTROL**

Sec.	
1651.	Government policy for control of Halogeton glomeratus.
1652.	Authority of Secretaries of Agriculture and Interior; surveys; control measures; consent of other departments.
1653.	Expenditure of funds; discretion of Secretaries; utilization of available services.
1654.	Contributions by States.
1655.	Authorization of appropriations; use.
1656.	Extent of authority.

**§ 1651. Government policy for control of Halogeton glomeratus**

In order to protect the livestock industry from losses caused by the poisonous weed Halogeton

<sup>1</sup> See References in Text note below.

glomeratus now or hereafter existing on lands in the several States, to provide for the maintenance and development of valuable forage plants on range and pasture lands, and to prevent destruction or impairment of range and pasture lands and other lands by the growth, spread, and development of the poisonous weed known as Halogeton glomeratus, it shall be the policy of the Federal Government, acting independently or in cooperation with the several States and political subdivisions thereof, private associations and organizations, and individuals, to control, suppress, and eradicate this weed, poisonous to livestock, on lands in the several States irrespective of ownership.

(July 14, 1952, ch. 721, §2, 66 Stat. 597.)

#### SHORT TITLE

Section 1 of act July 14, 1952, provided that: "This Act [enacting this chapter] may be cited as the 'Halogeton Glomeratus Control Act'."

### § 1652. Authority of Secretaries of Agriculture and Interior; surveys; control measures; consent of other departments

The Secretary of the Interior with respect to lands under his jurisdiction, including trust or restricted Indian lands, and the Secretary of Agriculture with respect to any other lands, either independently or in cooperation with any State or political subdivision thereof, private association or organization, or individual, are severally authorized, upon such conditions as they respectively deem necessary—

(1) to conduct surveys to detect the presence and effect of Halogeton glomeratus on lands in such State;

(2) to determine those measures and operations which are necessary to control, suppress, and eradicate such weed; and

(3) to plan, organize, direct, and carry out such measures and operations as either of them may deem necessary to carry out the purposes of this chapter.

(b) Measures and operations to control, suppress, or eradicate Halogeton glomeratus on lands under the jurisdiction of any department, agency, independent establishment, or corporation of the Federal Government shall not be conducted without the consent of the department, agency, independent establishment, or corporation concerned.

(July 14, 1952, ch. 721, §3, 66 Stat. 598.)

### § 1653. Expenditure of funds; discretion of Secretaries; utilization of available services

The Secretary of Agriculture in his discretion may allocate, out of any sums appropriated to him under authority of this chapter, to any department, agency, independent establishment, or corporation of the Federal Government having jurisdiction over any land on which there exists Halogeton glomeratus, such amounts as he deems necessary for the control, suppression, and eradication of such weed by such department, agency, independent establishment, or corporation, as the case may be. Sums appropriated to the Secretary of the Interior under authority of this chapter shall be expended for

work on, or of benefit to, lands under his jurisdiction, including trust or restricted Indian lands. Either Secretary may also accept and utilize such voluntary and uncompensated services of Federal, State, and local officers and employees as are available.

(July 14, 1952, ch. 721, §4, 66 Stat. 598.)

### § 1654. Contributions by States

In the discretion of the Secretary of Agriculture or the Secretary of the Interior, as the case may be, no expenditures shall be made from funds appropriated under this chapter to control, suppress, or eradicate Halogeton glomeratus on lands in the several States until there have been made or agreed upon such contributions, in the form of funds, materials, services, or otherwise, by the States and political subdivisions thereof, private associations, and organizations, and individuals, toward the work of controlling, suppressing, or eradicating such weed, as the Secretary of Agriculture or the Secretary of the Interior, respectively, may require.

(July 14, 1952, ch. 721, §5, 66 Stat. 598.)

### § 1655. Authorization of appropriations; use

(a) There are hereby authorized to be appropriated to the Secretary of Agriculture and to the Secretary of the Interior such sums as the Congress may from time to time determine to be necessary to carry out the purposes of this chapter.

(b) Any sums so appropriated shall be available for expenditure for the employment of persons and means in the District of Columbia and elsewhere, for the purchase, hire, maintenance, operation, and exchange of aircraft and passenger-carrying vehicles, and for such other expenses as may be necessary to carry out the purposes of this chapter.

(c) Such sums shall not be used to pay the cost or value of any property injured or destroyed in carrying out the purposes of this chapter.

(July 14, 1952, ch. 721, §6, 66 Stat. 598.)

### § 1656. Extent of authority

The authority contained in this chapter shall be in addition to, and shall not limit or supersede, authority contained in existing law with respect to the control, suppression, and eradication of pests, plants, and plant diseases.

(July 14, 1952, ch. 721, §7, 66 Stat. 599.)

## CHAPTER 41—AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE

Sec.

1691.

United States policy.

1691a.

Food aid to developing countries.

(a) Policy.

(b) Sense of Congress.

### SUBCHAPTER I—BARTER

1692.

Transferred.

1693 to 1697.

Repealed.

### SUBCHAPTER II—TRADE AND DEVELOPMENT ASSISTANCE

1701.

Trade and development assistance.